

Tennis, Rachel

From: Tennis, Rachel
Sent: Thursday, November 21, 2013 1:58 PM
To: Nicholas W. van Aelstyn
Subject: RE: EPA Response to State Lands Commission

Nico:

Thanks for your email. Here are some answers to the issues you raised.

- 1) Glad you received the letter and thanks for the favorable review.
- 2) I looked into the State Parks Foundation issue and can provide the following update. Craig Cooper requested the data from the Water Board and was informed that the Board will receive it when State Parks completes its deliverable for Phase 2. Since the data is not necessary to finalize the EECA, EPA is not willing to put additional pressure on the Water Board at this stage. We expect to have the data in time for the Remedial Design phase. I understand that you may want the data earlier for the PRPs' internal allocation discussions, and I encourage you to reiterate your request to State Parks during that process. However, it is not EPA's role to be involved in allocation-related issues.
- 3) I have been working on assembling information about Gonzalez, including the 104(e)s, for the Convening Group and expect to be able to send it out within the next couple of days.
- 4) I appreciate the update on your review of the public documents and I look forward to receiving your comments this week.

Regards,
Rachel

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From: Nicholas W. van Aelstyn [mailto:NvanAelstyn@bdlaw.com]
Sent: Wednesday, November 20, 2013 4:52 PM
To: Tennis, Rachel
Subject: RE: EPA Response to State Lands Commission

Rachel,

I write re a couple of different issues:

1. Thanks very much for sharing with me a copy of your letter. It's a very good letter.

2. I understand your reluctance to issue the Parks Foundation a 104e information request at this time. I hope that EPA has more success in getting the sampling data than we have had.
3. Have you been able to obtain the information that you and I discussed with respect to EPA's investigation of Gonzalez Bucket & Drum? I believe that you were going to share with me EPA's template 104e information request, the entities to which it was sent, and the basis for selecting those entities to get 104e requests.
4. Lastly, we are working away at reviewing the public records that you provided and will provide you with our feedback by this Friday as promised.

All best,

Nico

Nicholas W. van Aelstyn

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From: Tennis, Rachel [<mailto:Tennis.Rachel@epa.gov>]
Sent: Thursday, November 14, 2013 2:34 PM
To: Nicholas W. van Aelstyn
Subject: EPA Response to State Lands Commission

Nico:

Please find attached a copy of EPA's response to the State Lands Commission's letter of June 5, 2013. The letter and attachments were sent today by U.S. Mail.

Thank you for sending the CD of aerial photos, which I have shared with Craig Cooper. I also received your email about the 2012 Parks Foundation data. EPA would not be willing to issue a 104(e) without first exhausting informal options, but I will work on requesting the data from the Water Board and will let you know what I hear.

Regards,
Rachel

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